

JUDGE LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	NO. CR05-198RSL
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING COMPETENCY
vs.)	HEARING DATE
)	
CHRISTOPHER URGA,)	
)	
Defendant.)	
)	

Comes now the defendant, Christopher Urga, by and through his attorney, Michael G. Martin, and the United States of America, by and through John McKay, United States Attorney for the Western District of Washington, and Andy Colasurdo, Assistant United States Attorney, and submit this stipulation and order to continue the competency hearing set for December 7, 2006 at 8:30 a.m. to January 31st, 2007. The parties agree to this continuance and request that the Court continue the hearing in order to give defense counsel sufficient time to prepare for the hearing. Defense counsel has obtained advance authorization from the Court to hire a local psychologist who has the qualifications needed to evaluate Mr. Urga. Defense counsel spoke with the psychologist who stated that he needed STIPULATION AND ORDER CONTINUING COMPETENCY HEARING DATE (Urga)
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to review the discovery in this matter before he meets with Mr. Urga for the first time on a date to be set in mid-December. For these reasons, the parties respectfully submit that this continuance is necessary to give the psychologist sufficient time to complete his evaluation of Mr. Urga and to otherwise avoid a miscarriage of justice.

Respectfully submitted this _____ day of November, 2006.

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ORDER

This matter comes before the Court on a stipulation by the parties to continue the competency hearing and the Court having considered the entirety of the record and filed herein, the Court finds as follows.

This matter is currently set for a competency hearing December 7, 2006. The parties agree that the mental health professional now engaged by defense counsel needs additional time to meet with Mr. Urga and to evaluate him. Given this, proceeding with the hearing on the current date of December 7, 2006 will likely result in the ineffective assistance of counsel and in a miscarriage of justice. The Court further finds that the interests of the public and the defendants in a speedy trial in this case are outweighed by the ends of justice served by continuing the trial date in this matter. Now, therefore,

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IT IS HERBY ORDERED that the competency hearing set for December 7, 2006 is continued to January 31, 2007 at 8:30 a.m.; the time between the date of this Order and the competency hearing be excludable time under the Speedy Trial Act pursuant to Title 18, USC Sections 3161(h)(1)(A), 3161(h)(8)(A), 3161(h)(8)(B)(i) and 3161(h)(8)(B)(ii).

Done this 30th day of November, 2006.



Robert S. Lasnik
United States District Judge

Presented by:

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